
A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 329-22, Hawaii Revised Statutes, is amended to read as follows:

"§329-22 Schedule V. (a) The controlled substances listed in this section are included in schedule V.

(b) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine, or any of its salts, per 100 milliliters or per 100 grams;

(2) Not more than 100 milligrams of dihydrocodeine, or any of its salts, per 100 milliliters or per 100 grams;

(3) Not more than 100 milligrams of ethylmorphine, or any of its salts, per 100 milliliters or per 100 grams;



(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams; and

(6) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Stimulants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers.

(d) Depressants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide], (Vimpat);



(2) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid]; and

(3) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (Other names: BRV; UCB-34714; Briviact) and its salts.

(e) Approved cannabidiol drugs. A drug product in finished dosage formulation that has been approved by the United States Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 per cent (w/w) residual tetrahydrocannabinols.

SECTION 2. Section 329-122, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

"(f) For the purposes of this section, "transport" means the transportation of cannabis, usable cannabis, or any manufactured cannabis product between:

(1) A qualifying patient and the qualifying patient's primary caregiver;

(2) A qualifying out-of-state patient under eighteen years of age and the caregiver of a qualifying out-of-state patient;



- 1 (3) The production centers and the retail dispensing
2 locations under a dispensary licensee's license; or
- 3 (4) A production center, retail dispensing location,
4 qualifying patient, primary caregiver, qualifying out-
5 of-state patient, or caregiver of a qualifying out-of-
6 state patient and a certified laboratory for the
7 purpose of laboratory testing; provided that a
8 qualifying patient, primary caregiver, qualifying out-
9 of-state patient, or caregiver of a qualifying out-of-
10 state patient may only transport up to one gram of
11 cannabis per test to a certified laboratory for
12 laboratory testing and may only transport the product
13 if the qualifying patient, primary caregiver,
14 qualifying out-of-state patient, or caregiver of a
15 qualifying out-of-state patient:
- 16 (A) Secures an appointment for testing at a certified
17 laboratory;
- 18 (B) Obtains confirmation, which may be electronic,
19 that includes the specific time and date of the
20 appointment and a detailed description of the



1 product and amount to be transported to the
2 certified laboratory for the appointment; and
3 (C) Has the confirmation, which may be electronic,
4 available during transport.

5 For purposes of interisland transportation, "transport" of
6 cannabis, usable cannabis, or any manufactured cannabis product,
7 by any means is allowable only by a qualifying patient or
8 qualifying out-of-state patient for the patient's personal
9 medical use, or between a production center or retail dispensing
10 location and a certified laboratory for the sole purpose of
11 laboratory testing pursuant to section 329D-8, as permitted
12 under section 329D-6(m) and subject to section 329D-6(j), and
13 with the understanding that state law and its protections do not
14 apply outside of the jurisdictional limits of the State.

15 ~~[Allowable transport pursuant to this section does not include~~
16 ~~interisland transportation by any means or for any purpose~~
17 ~~between a qualified patient, primary caregiver, qualifying out-~~
18 ~~of state patient, or caregiver of a qualifying out of state~~
19 ~~patient and any other entity or individual, including an~~
20 ~~individual who is a qualified patient, primary caregiver,~~
21 ~~qualifying out of state patient, or caregiver of a qualifying~~



1 ~~out of state patient.]~~ The department of transportation and
2 department of public safety shall adopt rules pursuant to
3 chapter 91 necessary for the purposes of this subsection."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Uniform Controlled Substances Act; Medical Cannabis; Interisland Transportation

Description:

Updates the Uniform Controlled Substances Act to make it consistent with amendments in federal controlled substances law as required under the authority to schedule controlled substances. Authorizes qualifying patients or qualifying out-of-state patients to transport medical cannabis between islands for their personal medical use. (SD1)

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